

C. In the Drawings

The attached sheets of drawings include changes to Figs. 1 and 2. These sheets replace the original sheets including Figs. 1 and 2.

In Fig. 1 the reference numeral "3" is added to represent the overall "charging communication-adaptor" and arrows are added adjacent to "a" (each occurrence). In Fig. 2, reference letters and the lines for "a" and "b" are removed, a line is removed, and replaced with an arrow.

Attachments: Replacement Sheets and Annotated Sheets showing Changes

II. REMARKS

A. Introduction

In this Office Action, claims 1-11 are noted as pending, claims 1-6 are allowed, claims 9 and 10 are noted as allowable, and claims 7, 8 and 11 are rejected based on prior art.

In this Response, already allowed claims 3-4 are amended to a minor no-limiting extent, and remarks are provided.

B. Information Disclosure Statement Filed February 12, 2004

The application was filed with an IDS, which included in the Image File Wrapper for this application. However, the PTO 1449 which was a part thereof has not yet been initialed and returned to applicant. It is respectfully requested that same be returned with the next PTO action.

C. Rejection of Claims 7, 8 Under 35 U.S.C. Section 102 and 11 Under Section 103

These claims are rejected as being anticipated or made obvious by Tomura et al., U.S. Patent No. 5,256,955. The Action indicates, among other things, that this reference discloses "first charging terminals 36; first communication terminals...the first communication terminals make a contact with second communication terminals of the mobile device after the first charging terminals make a contact with second charging terminals of the mobile device."

For the following reasons, it is respectfully submitted that the present invention, as recited by claims 7, 8 and 11, was neither anticipated nor rendered obvious by the cited reference.

Initially, as noted in the "Background of the Invention" of the present application, there are two types of adaptors for mobile devices that are well-known to those of ordinary skill in this art: those that solely charge the mobile device and those that both charge and allow communication between the adaptor and an external device. See page 1, lines 11-19 and compare particularly Fig. 14 of the present application and Fig. 1 of Tomura et al. which clearly illustrate the distinctions.

While the Examiner is under a duty to interpret the claims in "the broadest reasonable interpretation", this interpretation "must be consistent with the interpretation that those skilled in the art would reach." MPEP Section 2111.

The present invention, as expressly recited in these claims, is of the latter type, i.e., a

"charging communication-adaptor", which is configured to both charge and allow communication to an external device. Tomura et al. is strictly of the charging only-type as noted below (see, e.g., abstract, Col. 1, lines 9-13 and 28-34 and Col. 2, lines 19-30, Col. 7, lines 63-68 and Col. 8, lines 1-4) using charging terminals 36 for this purpose. See, e.g., Col. 4, lines 22-24 and 59-63.

More particularly, rejected claims 7 and 8 recite expressly, in addition to charging terminals, "first communication terminals...make contact with second communication terminals of the mobile device...". Tomura et al.'s alleged "first communication terminals 22" are merely physical protrusions, i.e., "convex portions" of the adaptor upper case 12 that receive complimentary concave physical portions 56 of the mobile device to help hold the mobile device in the adaptor in use environments where movement is likely, such as in a vehicle. See, e.g., Col. 4, lines 1-2, 9-12 and 49-52, Col. 5, lines 15-20 and Col. 7, lines 18-38. These terminals 22 would not, in any way, be considered to be "communication terminals" to one of ordinary skill. Accordingly, this reference fails to disclose each and every feature of the present invention, as required by 35 U.S.C. Section 102 and it is respectfully requested that the rejection be withdrawn.

Tomura et al. also lacks any teaching that the physical protrusions 22 should or could be communication terminals as understood in the art. For example, there is no teaching of any physical or functional relationship in this regard between the members 22 and the circuit board 32.

In relation to claim 11, same is dependent from independent claim 7. Accordingly, the comments above regarding the inability of Tomura et al. to anticipate or render claim 7 obvious are expressly incorporated herein. Claim 11 further defines the communication terminals described above. Since Tomura et al. is totally devoid of any communication terminals, the reference could not teach what type of communication terminals are used. Also, while the Examiner's comments regarding "claims directed to an apparatus must be distinguished from the prior art in terms of structure rather than function", is understood as a general proposition, the comment is misplaced in regard to claim 11. Claim 11 recites only structure and same is distinguished from the prior art, as noted above.

III. CONCLUSION

It is respectfully submitted that claims 1-11 are now in condition for allowance.

If there are any formal matters remaining after this Response, the undersigned would appreciate a telephone conference with the Examiner to attend to these matters.

If any further fees are required in connection with the filing of this Response, please charge same to our Deposit Account No. 19-3935.

Date:

5/11/07

Respectfully submitted,
STAAS & HALSEY LLP

By:

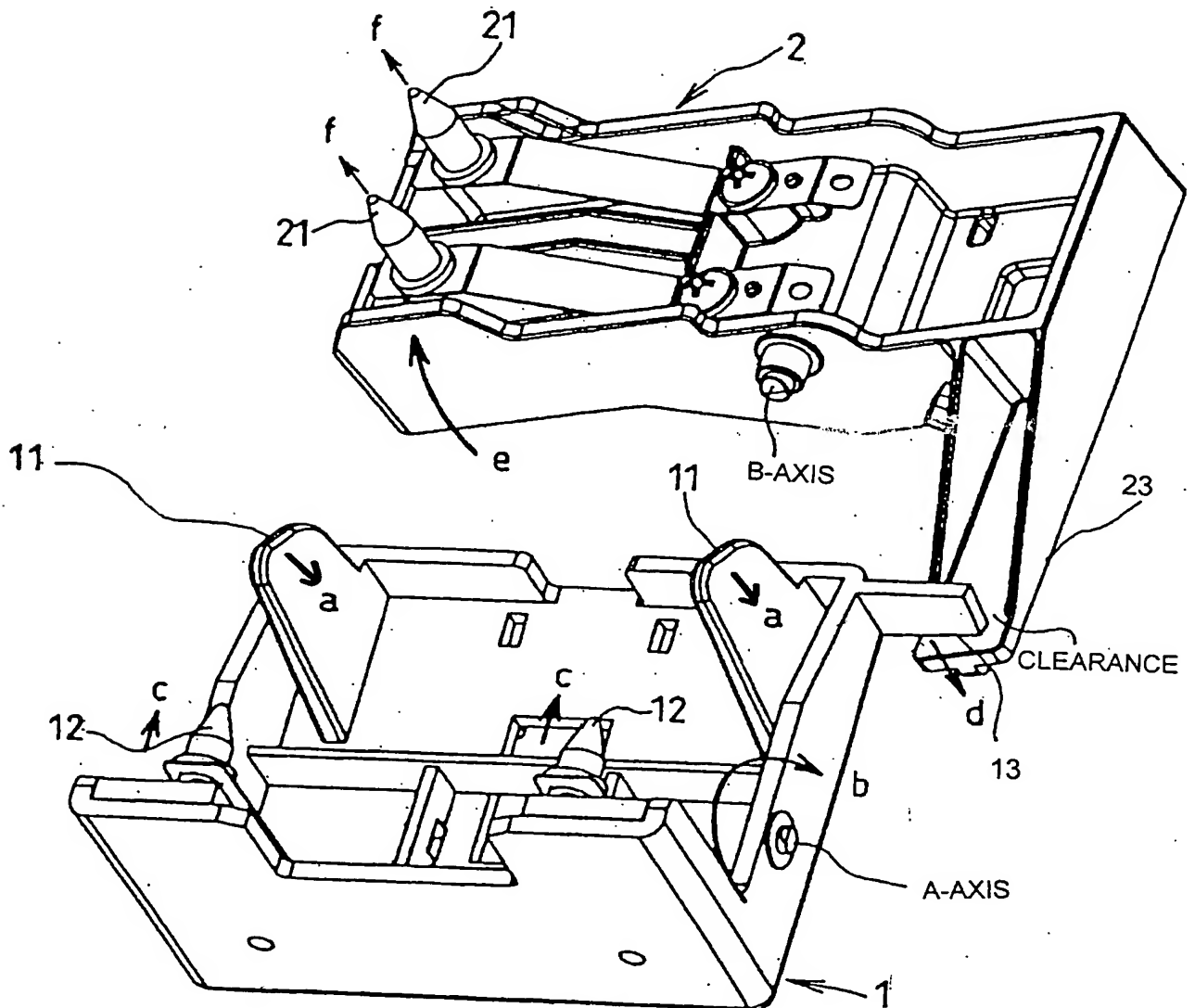

William F. Herbert
Registration No. 31,024

1201 New York Ave, N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501



FIG. 1

3



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FIG.2

